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*Plaintiff in Pro Se*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH P. CUVIELLO and DENIZ  
BOLBOL, individually,  
  
PLAINTIFFS.

v.

ROWELL RANCH RODEO, INC.;  
HAYWARD AREA RECREATION AND  
PARK DISTRICT; HAYWARD AREA  
RECREATION AND PARK DISTRICT  
PUBLIC SAFETY MANAGER/RANGER  
KEVIN HART; ALAMEDA COUNTY  
SHERIFF'S OFFICE; ALAMEDA  
COUNTY DEPUTY SHERIFF JOSHUA  
MAYFIELD; and DOES 1 and 2, in their  
individual and official capacities, jointly and  
severally,

DEFENDANTS.

Case No. 3:23-cv-01652-VC

**DECLARATION OF DENIZ BOLBOL  
IN SUPPORT OF PLAINTIFFS'  
JOINT MOTION FOR PARTIAL  
SUMMARY JUDGMENT**

Date: August 15, 2024  
Time: 10:00 a.m.  
Judge: Hon. Vince Chhabria  
Courtroom: 5 – 17th Floor

I, Deniz Bolbol, declare as follows:

1. I am a Plaintiff in the above-captioned case.

2. I have personal knowledge of the facts declared herein and will competently testify to them if called upon to do so. I am submitting this declaration in support of Plaintiffs' Motion for Summary Judgment.

3. I have been an advocate for animal rights since 2000, and I am a co-founder of the grassroots group, "Humanity through Education" which is a 501(c)3 nonprofit organization.

4. My speech and association focuses on the abuse and mistreatment of animals by circuses, rodeos, and other "entertainment" entities, which is of great public concern locally, nationally, and internationally.

5. During my years of animal rights activism I have been falsely arrested and had my free speech rights violated by threats of arrest from law enforcement officers on numerous occasions and had to file a number of lawsuits over the years to have my rights upheld and protected, including *Bolbol, et al., v. Ringling*, Case No. 5:04-cv-00082; *Cuviello, et al., v. City of Oakland, et al*, Case No. C06-05517; *Cuviello, et al., v. City of Stockton, et al*, Case No.: 2:07-cv-01625; *Bolbol v. City of Daly City*, 3:09-cv-01944; *Cuviello, et al., v. City of Oakland, et al*, Case No. 3:09-cv-02955; *Cuviello, et al., v. Cal Expo, et al*, Case No. 2:11-cv-02456; *Cuviello, et al., v. State of Nevada, et al*, Case No. 3:12-cv-00529; and *Cuviello, et al., v. City and County of San Francisco, et al*, Case No. 12-cv-03034.

6. As an advocate for animal welfare and animal rights, I consider myself an "Animal rights activist," a political affiliation as Animal Rights is a political position. A true and correct copy of documents characterizing Animal Rights as a political position, including an August 9, 2022 Alameda County Board of Supervisors recommendation regarding an ordinance amending the Alameda County Ordinance Code to prohibit certain rodeo activity, and a San Jose Mercury news article referencing this ordinance, *Ban on wild cow milking – plus spurs and bucking straps – could threaten Alameda County's rodeos*, August 14, 2022 is attached as **Exhibit 18** (000020 – 000027). I gave public comments in support of this legislation.

7. I have sought and will continue to seek out opportunities to demonstrate at events that abuse and mistreat animals, like Rowell Ranch Rodeo.

1           8.       I have demonstrated against Rowell Ranch Rodeo intermittently from 2018 to  
2 2022, and plan to continue to demonstrate at Rowell Ranch Rodeo Park (“Rodeo Park”) in the  
3 future.

4           9.       My twenty-three years of experience with organizing and attending  
5 demonstrations is that one-on-one communication is the most effective means of communicating  
6 your message, including through leaflets. With one-on-one communication, I can approach  
7 people in a calm manner, look them in the eye, and speak calmly while I offer them a leaflet.

8           10.      In my experience, the most effective point of persuasion at an event like the  
9 Rowell Ranch Rodeo is at, or near, the pedestrian entrance. I do not block the entrances or exits,  
10 nor do I interfere with patrons’ and event staff’s ability to enter or exit the venues, and we do not  
11 chant or yell.

12           11.      I put a lot of time, energy, and money into organizing demonstrations and  
13 preparing signs, leaflets, and banners in advance of my demonstrations, with the hope of  
14 changing hearts and minds. When I have to interact with authorities threatening me with arrest  
15 for peacefully exercising my constitutional free speech rights it is emotionally and mentally  
16 stressful. Additionally it takes my focus off of my education efforts and places me in an  
17 uncertain position not knowing whether I will be arrested or be able to effectively educate  
18 patrons. It is also emotionally and mentally stressful to have to deal with harassment and  
19 violence from venue employees who target me because they do not like my animal rights  
20 message.

21           12.      From my experience, when law enforcement tries to intimidate me with threat of  
22 arrest or constant harassment, it emboldens the venue representatives, such as Rowell Ranch  
23 Rodeo agents, to be more aggressive against me.

24           13.      From May 20 through May 22, 2022, my husband Joseph Cuvillo (co-Plaintiff in  
25 the above-captioned case) and I organized and attended demonstrations against Rowell Ranch  
26 Rodeo at the Rodeo Park in Castro Valley, California.

1           14.     Upon arrival at the Rodeo Park, we noticed a “Free Speech Area” in a peripheral  
2 location, as we walked through the front gates that lead to the parking area. This was far from  
3 where rodeo patrons would be walking, and entering the Rodeo entrance. I knew that we would  
4 not be able to successfully engage with Rodeo patrons if we remained in that small area, far from  
5 the people walking into the event. I also knew from years of experience of leafleting that our  
6 banners and signs would not be visible to patrons walking into the Event, because this area was  
7 far from the entrance, approximately 100 yards from the rodeo entrance. So, we positioned  
8 ourselves near the front entrance, an area traversed by all patrons who enter the facility at this  
9 entrance. This is the location where we had demonstrated in all previous years without incident.

10           15.     On the evening of May 20, 2022, I first encountered a Rowell Ranch Rodeo  
11 employee, Doe Defendant 1, later identified by Rowell Ranch Rodeo as Public Safety  
12 Coordinator Gary Houts. He told us to move to the “Free Speech Area,” tried to grab my banner,  
13 stood in front of the banner to block our message, told us we didn’t understand what we were  
14 saying [about animals used in the rodeo], we were spreading lies and the photos on our signs  
15 were altered. Plaintiff Cuvillo told Mr. Houts to call the police if he had a problem, which he  
16 did and falsely stated, on the phone during that call to law enforcement, that we were blocking  
17 the parking lot and entrance. At no point did we block the entrance or interfere with ingress and  
18 egress. A true and correct copy of video I recorded on May 20, 2022 depicting events that  
19 occurred while I was demonstrating against Rowell Ranch Rodeo is attached as **Exhibit 1**  
20 (000001).

21           16.     When Officers from Defendant Alameda County Sheriff’s Office (ASCO)  
22 arrived, I saw who I later learned was Defendant Deputy Joshua Mayfield (“Mayfield”) greet and  
23 hug a woman who appeared to be affiliated with the Rodeo. When the officers came over to  
24 speak with us, they acknowledged our efforts were protected free speech, there were no problems  
25 with what we were doing and indicated that we could remain at our current location to  
26 demonstrate and just needed to not block ingress and egress. *See* Exh. 1 (timestamp 10:00). To  
27  
28

1 which we agreed. Defendant Deputy Mayfield specifically told us that if we were to stay at our  
2 location, we needed to “keep it peaceful.” *Id.* (timestamp 10:23).

3 17. Soon after, an individual who I later learned was Defendant Kevin Hart, Hayward  
4 Area Recreation and Park District (HARD) Public Safety Manager, and Defendant Deputy  
5 Mayfield approached me and Plaintiff CuvIELLO while we were exercising our free speech rights.  
6 Working in concert, they now threatened us with arrest if we didn’t move our demonstration to  
7 the free speech area. They were bullying and intimidating us to move to the far away “free  
8 speech” area. I felt certain I could be arrested. Plaintiff CuvIELLO repeatedly expressed his  
9 concern about these threats of arrest – repeatedly stating that they needed to tell him in advance  
10 if he was going to be arrested. Plaintiff CuvIELLO said he did not want to be arrested. Plaintiff  
11 CuvIELLO told Defendant Mayfield to call his watch commander because arresting us would be  
12 illegal. Defendant Deputy Mayfield then made a call on his cellphone, which I assumed was to  
13 his watch commander. A true and correct copy of video I recorded on May 20, 2022 depicting  
14 events that occurred while I was demonstrating against Rowell Ranch Rodeo is attached as  
15 **Exhibit 2** (000002).

16 18. Meanwhile, Defendant Hart then proceeded to ask each demonstrator if they were  
17 refusing to leave – first Plaintiff CuvIELLO said he wouldn’t leave and then one-by-one each  
18 protester, including me, said we weren’t leaving. Exh. 2 (timestamp 0:27). Although I refused to  
19 leave I was bracing to be arrested. After a short period of time Defendant Deputy Mayfield got  
20 off his phone and Defendant Hart and the other ACSO officers and an unidentified Rowell  
21 Ranch Rodeo agent walked over to speak with Mayfield. At this point I knew Defendant Deputy  
22 Mayfield did not get the okay to arrest us because if he had been given approval, he would have  
23 come over and begun the arrests.

24 19. During this time Defendant Rowell Ranch Rodeo representative Gary Houts,  
25 Rowell Ranch Public Safety Coordinator, pushed my colleague Mike Sage, who was peacefully  
26 holding a sign and passing out leaflets. Mike told me that Houts had pushed him and I told Houts  
27 that he needed to stop pushing Mike. A true and correct copy of video I recorded on May 20,  
28

1 2022 depicting events that occurred while I was demonstrating against Rowell Ranch Rodeo,  
2 including this interaction between Mr. Houts and Mr. Sage, is attached as **Exhibit 3** (000003).  
3 *See* Exh.3 (timestamp 0:03- 0:11).

4         20. Defendant Mayfield then returned to our group and stated we must stand off the  
5 walkway. Together with my colleagues, we proceeded to demonstrate near the front entrance,  
6 standing in the walkway and leafleting patrons as they passed by. Various protesters were  
7 repeatedly told to move off the walkway despite that they were not blocking ingress or egress  
8 and were not causing any problems. It was obvious to me that Defendants Deputy Mayfield,  
9 Hart, Houts and other Defendant Rowell Ranch Rodeo representatives did not like our message  
10 or our presence at the rodeo and that because they were not able to arrest us they were going to  
11 try to bully and intimidate us through harassment. I have experienced this and other type of  
12 similar harassment at other venues where I have protested. I am tired of law enforcement  
13 officers' intimidation tactics to try to prevent me and others from exercising our right to free  
14 speech merely because they do not like our message or because they are being paid by the venue  
15 for their presence at the event. At other venues, I have witnessed volunteer protesters leave and  
16 not return to protest because of this type of intimidation.

17         21. During my interaction with Defendant Hart and Defendant Deputy Mayfield I  
18 felt intimidated by their threats of arrest which I believed was a tactic they were using to coerce  
19 me into giving up my free speech right to demonstrate outside the free speech area. My fear of  
20 being arrested was based on verbal threats, including, but not limited to, Defendant Hart telling  
21 us that we, the protesters, "don't have too much of a choice," to move to the designated "Free  
22 Speech Area" and "failure to do so will not be good;" and Defendant Deputy Mayfield telling us  
23 we "could be arrested" and that it was a "possibility" if I didn't move to the free speech area. *See*  
24 Exh. 2.

25         22. My fear of being arrested was also based on my two contradictory interactions  
26 with Defendant Deputy Mayfield; the first indicating we were fine where we were and telling me  
27 to stay peaceful if we choose to not use the free speech area and the second one telling me I  
28

1 could be arrested if I don't move to the free speech area. The change in his position came after I  
2 saw Defendant Deputy Mayfield speaking with Defendant Hart. It seems to me that after they  
3 spoke they decided they would work together to force us to the "free speech area" or arrest us. I  
4 believe if Plaintiff Cuiello had not convinced Defendant Deputy Mayfield to call his watch  
5 commander we would have been arrested based on Defendant Deputy Mayfield's bullish  
6 attitude.

7         23. Later in the day, we moved to the back entrance because the front parking lot was  
8 full and more patrons were parking in the back parking lot and entering through the back  
9 entrance, Defendant Deputy Mayfield began to harass me at the back entrance and accused me of  
10 blocking "ingress" and the "walkway" while he blocked my sign with his body. I told him I  
11 wasn't blocking anyone and that he needed to stop harassing me. He repeatedly got in front of  
12 me and stood close to me to block my sign so I walked around him so patrons could see my sign.  
13 I repeatedly told him to stop harassing me. Defendant Deputy Mayfield's conduct caused me  
14 emotional and mental stress. He then went to talk to Plaintiff Cuiello. A true and correct copy  
15 of video I recorded on May 20, 2022 depicting events that occurred while I was demonstrating  
16 against Rowell Ranch Rodeo, including this interaction with Defendant Deputy Mayfield, is  
17 attached as **Exhibit 4** (000004).

18         24. The next day, May 21, 2023, we returned to the Rodeo Park. As I was walking to  
19 the back entrance I was holding a sign that read "They Buck From Pain Caused By the Bucking  
20 Strap" with a photo of a bull bucking from the bucking strap. A Rowell Ranch Rodeo  
21 representative, Doe Defendant 2, later identified as George Ferris, wearing a yellow vest and  
22 appeared to be checking in cars to the parking lot, stepped in front me and started yelling that we  
23 needed to get out and needed a ticket to enter. As I tried to enter, I told him to call the police.  
24 Ferris repeatedly pushed his body into me, mainly near my torso, despite my repeated pleas for  
25 him to stop touching me. I tried to walk around Mr. Ferris but each time he continued to step in  
26 front of me, using his body to push and block me, while yelling at me that I needed a ticket and  
27 shouting "Out." As he touched me he yelled, "You're touching me." I felt scared due to his  
28

1 physical aggression and called to Plaintiff CuvIELLO. A true and correct copy of video I recorded  
 2 on May 21, 2022 depicting events that occurred while I was demonstrating against Rowell Ranch  
 3 Rodeo, including this interaction with Mr. Ferris is attached as **Exhibit 5** (000005). *See* Exh. 5  
 4 (timestamp 0:30 - 58).

5 25. Based on their actions and words I understood the rodeo personnel did not like me  
 6 or want me on the property based on the content of my free speech message that called out the  
 7 abuse of animals at the rodeo.

8 26. I have endured this type of discriminatory and aggressive treatment when I  
 9 protested other places where animal abuse occurred and I successfully secured my right to  
 10 peacefully exercise my free speech rights in court. I am tired of people thinking they can bully  
 11 and can use physical violence against people simply because they do not like their speech.

12 27. A true and correct copy of a photo of the sign I was holding, "They Buck from  
 13 Pain Caused by Bucking Straps," with a photo of a bucking bull, during the demonstration at the  
 14 Rodeo Park on May 20, 2022 is attached as **Exhibit 16** (000016).

15 28. While exercising my free speech rights, I offer rodeo patrons at the Rowell Ranch  
 16 Rodeo a leaflet to communicate our message, including advocating against the abuse and  
 17 mistreatment of animals at rodeos. *See* Declaration of Joseph P. CuvIELLO ISO Plaintiffs' Joint  
 18 Motion for Partial Summary Judgment, ¶ 39 ,Exhibit 21 for a true and correct copy of this leaflet.

19 29. On the last day of most protests, no matter what has transpired at the protest, we  
 20 encourage our fellow protestors to join us in a group photo. We use this photo to share with  
 21 others to encourage them to come out to future protests.

22  
 23 I make this declaration under penalty of perjury under the laws of the United States of  
 24 America, executed this 3rd day of June, 2024 in San Mateo County, California.

25  
 26  
 27 By: /s/ Deniz Bolbol  
 28 Deniz Bolbol